

---

**TITLE 876 INDIANA REAL ESTATE COMMISSION**

---

**Proposed Rule**  
LSA Document #14-60**DIGEST**

Amends [876 IAC 3-3-19](#) to comply with the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 regarding licensing requirements for individuals licensed in another state. Amends [876 IAC 3-5-1](#) to comply with the Dodd-Frank Act regarding continuing education requirements for trainee appraisers. Amends [876 IAC 3-5-2](#) regarding the board's authority to approve real estate appraiser continuing education courses. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)[876 IAC 3-3-19](#); [876 IAC 3-5-1](#); [876 IAC 3-5-2](#)

SECTION 1. [876 IAC 3-3-19](#) IS AMENDED TO READ AS FOLLOWS:

**[876 IAC 3-3-19](#) Individuals licensed in another state; licensing requirements; reciprocity**

**Authority:** [IC 25-34.1-3-8](#)

**Affected:** [IC 25-34.1](#)

Sec. 19. (a) An individual who holds a valid license or certification ~~that is not under any sanction~~ from another state or territory may be issued an Indiana license or certification in the category of the out-of-state license or certification so long as the following are met:

- (1) The **current** requirements for examination, education, and experience in the state the individual is licensed or certified ~~are substantially similar to meet or exceed~~ those in Indiana.
- (2) The individual meets all of the other Indiana requirements for the particular license or certification.
- (3) The individual pays the fees under [876 IAC 3-2-7\(b\)\(4\)](#) and [876 IAC 3-2-7\(b\)\(5\)](#) or [876 IAC 3-2-7\(b\)\(6\)](#).
- (4) ~~The individual has been licensed in the other state or territory for at least two (2) years.~~
- (5) ~~The other state or territory grants licensure or certification by reciprocity to Indiana licensees or certificate holders in the same license or certification category.~~

~~(b) Reciprocity may exist with another state or territory in one (1) or more licensure or certification categories but not necessarily in all licensure or certification categories.~~

~~(c) The board may enter into memorandums of understanding with other states concerning licensure or certification by reciprocity.~~

*(Indiana Real Estate Commission; [876 IAC 3-3-19](#); filed Sep 24, 1992, 9:00 a.m.: 16 IR 745; filed Dec 8, 1993, 4:00 p.m.: 17 IR 777; filed Jun 14, 1995, 11:00 a.m.: 18 IR 2791; filed Dec 24, 1997, 11:00 a.m.: 21 IR 1764; filed Apr 12, 2001, 12:30 p.m.: 24 IR 2705; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3238; readopted filed Jul 19, 2007, 1:16 p.m.: [20070808-IR-876070068RFA](#); readopted filed Nov 25, 2013, 9:21 a.m.: [20131225-IR-876130283RFA](#))*

SECTION 2. [876 IAC 3-5-1](#) IS AMENDED TO READ AS FOLLOWS:

**[876 IAC 3-5-1](#) Continuing education requirements**

**Authority:** [IC 25-34.1-3-8](#)

**Affected:** [IC 25-1-4](#); [IC 25-34.1](#)

Sec. 1. (a) As a prerequisite to renewal of a real estate appraiser license or certification, ~~excluding a trainee license during the first five (5) years of licensure,~~ the licensee or certificate holder shall satisfactorily complete twenty-eight (28) classroom hours of continuing education within that two (2) year renewal period from real estate appraiser continuing education courses approved by the Appraiser Qualifications Board as provided for in [IC 25-1-4-0.5\(1\)\(B\)](#) or by the board under this rule. ~~Notwithstanding the normal twenty-eight (28) hour requirement for two (2) year renewal periods, for the renewal of licenses or certificates that expire on June 30, 2008, the licensee~~

~~or certificate holder must satisfactorily complete thirty-five (35) classroom hours of continuing education courses approved by the Appraiser Qualifications Board as provided for in [IC 25-1-4-0.5](#)(1)(B) or by the board under this rule. However, a licensee or certificate holder initially licensed within the last one hundred eighty-five (185) days of a two (2) year renewal period shall not be required to obtain any hours of continuing education. For licenses or certificates that expire on June 30, 2008, the one hundred eighty-five (185) day period shall be one hundred eighty-five (185) days before June 30, 2008.~~

~~(b) After holding a licensed trainee appraiser license for a five (5) year period, a trainee is required to satisfactorily complete the continuing education requirement in each following renewal cycle:~~

- ~~(1) If the five (5) year period ends in the first year of a two (2) year renewal cycle, the trainee will be required to complete fourteen (14) hours of continuing education for the remainder of that renewal period.~~
- ~~(2) If the five (5) year period ends in the second year of two (2) year renewal cycle, the trainee shall not be required to obtain any hours of continuing education for that renewal cycle.~~
- ~~(3) For licensed trainee appraiser licenses that expire on June 30, 2008, the first year under subdivision (1) shall be considered to have ended on December 31, 2006, and the second year under subdivision (2) shall be considered to have started on January 1, 2007, and ended on June 30, 2008.~~

~~(e) (b) The following criteria apply to determine the number of hours:~~

- ~~(1) A classroom hour of instruction is defined as fifty (50) minutes of each sixty (60) minute hour segment.~~
- ~~(2) Credit toward the classroom hour requirement may be granted only where the length of the educational offering is at least two (2) hours.~~

~~(d) (c) Notwithstanding subsection (a), up to fifty percent (50%) of continuing education credit may be granted for participation, other than as a student in appraisal educational programs, as follows:~~

- ~~(1) Teaching.~~
- ~~(2) Program development.~~
- ~~(3) Authorship of textbooks.~~

~~(e) (d) A licensee is not entitled to continuing education credit for any classroom hours that were used for required prelicensure education under [876 IAC 3-3](#).~~

~~(f) (e) The continuing education requirement is to ensure that appraisers participate in educational programs that maintain and increase their skill, knowledge, and competency in real estate appraising.~~

~~(g) (f) The board may verify any information concerning continuing education that is submitted by the licensee or certificate holder as evidence supporting the course information. The board may require licensees or certificate holders to provide information regarding the continuing education hours claimed on the individual's renewal. Failure to do so may lead to action under [IC 25-1-4-5](#) or [IC 25-1-4-6](#).~~

~~(h) (g) It is the responsibility of each licensee or certificate holder to retain evidence to support the courses taken for a period of three (3) years after the end of the renewal period for which the renewal application is submitted to the board. These records shall include one (1) or more of the following:~~

- ~~(1) Course attendance verification by the sponsor.~~
- ~~(2) Certificates of course completion.~~
- ~~(3) Continuing education attendance history by employer or third party.~~
- ~~(4) Other evidence of support and justification.~~

*(Indiana Real Estate Commission; [876 IAC 3-5-1](#); filed Sep 24, 1992, 9:00 a.m.: 16 IR 747; filed Dec 8, 1993, 4:00 p.m.: 17 IR 779; filed Apr 10, 1995, 10:00 a.m.: 18 IR 2123; filed Dec 24, 1997, 11:00 a.m.: 21 IR 1764, eff Jan 1, 1998 [[IC 4-22-2-36](#) suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #97-65 was filed Dec 24, 1997.]; filed Apr 12, 2001, 12:30 p.m.: 24 IR 2705, eff Jan 2, 2002; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3238; filed Aug 6, 2003, 12:00 p.m.: 27 IR 184; readopted filed Jul 19, 2007, 1:16 p.m.: [20070808-IR-876070068RFA](#); filed May 5, 2008, 11:08 a.m.: [20080604-IR-876070881FRA](#); filed May 5, 2008, 11:21 a.m.: [20080604-IR-876070338FRA](#); errata filed May 20, 2008, 1:21 p.m.: [20080604-IR-876070338ACA](#))*

SECTION 3. [876 IAC 3-5-2](#) IS AMENDED TO READ AS FOLLOWS:

**[876 IAC 3-5-2](#) Application for board approval of real estate appraiser continuing education courses**

**Authority:** [IC 25-34.1-3-8](#)

**Affected:** [IC 25-1-4-0.5](#); [IC 25-34.1](#)

Sec. 2. (a) This section and sections 2.5 through 8 of this rule apply to continuing education courses subject to board approval and not to courses approved by the Appraiser Qualifications Board as provided for in [IC 25-1-4-0.5](#)(1)(B). ~~All courses more than seven (7) hours in length shall not qualify for board approval and therefore must be approved by the Appraiser Qualifications Board to qualify for continuing education credit. Courses of seven (7) hours of length or shorter shall qualify if approved by the Appraiser Qualifications Board or by the board under this rule. The seven (7) hour Uniform Standards of Professional Appraisal Practice course required under section 1.5 of this rule only qualifies if approved by the Appraiser Qualifications Board.~~

~~(b) Any request for approval of a real estate appraiser continuing education course by the board shall be made by written application for approval filed with the board.~~

*(Indiana Real Estate Commission; [876 IAC 3-5-2](#); filed Sep 24, 1992, 9:00 a.m.: 16 IR 747; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3238; readopted filed Jul 19, 2007, 1:16 p.m.: [20070808-IR-876070068RFA](#); filed May 5, 2008, 11:21 a.m.: [20080604-IR-876070338FRA](#); filed Feb 3, 2009, 10:12 a.m.: [20090304-IR-876080357FRA](#); readopted filed Nov 25, 2013, 9:21 a.m.: [20131225-IR-876130283RFA](#))*

[Notice of Public Hearing](#)

Posted: 04/02/2014 by Legislative Services Agency  
An [html](#) version of this document.